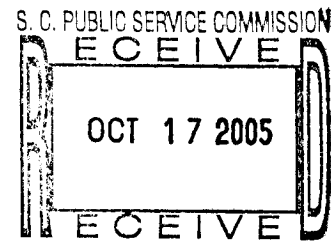


176342

To: Executive Director.
General Counsel
S.C. Public Service Commission
PO Drawer 11649
Colombia S.C. 29211
Ph: 1803 896 5113; Fx: 1 803 896 5231



From: Beatrice Weaver
PO Box 539 Little Rock SC 29567
Ph/Fax: 1 843 841 1606

Subject: Motion to Continue Hearing.

Ref: Case No: 2004-219-E

Date: October 10, 2005

Sir:

Enclosed please find two copies of my Motion to Continue Hearing re the subject case. Please clock it in and send me a copy for my records.

Under the circumstances I believe this situation meets the Commission's "exigent circumstances" stated in its Order last December.

Thank you, *BW*

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

October 10, 2005



In the Matter of	)	DOCKET NO. 2004-219-E
)	
Petition of Progress Energy Carolinas, Inc)	)	RESPONDENT BEATRICE
To Terminate Service	)	WEAVER'S MOTION TO
	)	CONTINUE DATE OF
	)	HEARING; EXTENSION
	)	OF TIME FOR FILING OF
	)	PLEADINGS; AFFIDAVIT OF
	)	BEATRICE WEAVER;
	)	EXHIBITS A-B;
	)	CERTIFICATE OF SERVICE

**RESPONDENT PRO SE BEATRICE WEAVER'S MOTION TO CONTINUE
DATE OF HEARING AND FOR EXTENSION OF TIME FOR
FILING PLEADINGS**

Comes now Respondent Pro Se Beatrice Weaver ("Respondent") and timely files this **Motion to Continue Date of Hearing and for Extension of Time for Filing of Pleadings**. This motion is filed for good cause pursuant to rules and regulations of the Public Service Commission of South Carolina ("Commission") **R. 103-842** for extension of time for filing pleadings; **R.103-862** for continuance of Hearing Date; **R. 103-854** for Other Discovery; **Rule 6 (b),(d), and (e)** and **Rule 7** of the South Carolina Rules of Civil Procedure (SCRCP).

This motion is timely filed in response to the Commission's **Notice of Rescheduled Hearing** dated October 5, 2005, received by Respondent on October 7, 2005. Said Notice has set a Hearing date in this matter for December 14, 2005.

The specific grounds for this motion are medical (cancer, etc.) as documented herein and the attached Affidavit, and Respondent's unavoidable absence from the State for several months commencing on or about November 7th, 2005 for further radiation treatment and rehabilitation.

Further, for the reasons discussed in previous pleadings filed with the Commission, during the period October 2004 to date, Respondent has been unable to complete discovery and prepare for the Hearing due to the emotional and physical demands of the serious medical problems, Respondent in fact, is physically impaired with difficulty seeing and walking. Petitioner shall be held accountable in due course for those damages and losses resulting from its vindictive, frivolous and nuisance actions, petitions and violations of Commission rules in this and other matters, since December 21, 2001.

Respondent respectfully submits to the Commission that this motion meets its test for continuance of the December 14th, 2005 Hearing and discovery procedures under “**the most exigent circumstances**” as noted in Commission’s Order dated December 3, 2004, by reference incorporated herein. (See, last line, page 1.)

The Commission is respectfully requested to take judicial notice of prior relevant pleadings in this matter, and specifically: (1) Respondent’s first and second **Motions for Continuance of Date of Hearing and Extension of Time for Filing of Pleadings and the attached Affidavit and Exhibits thereto**, timely filed on or about November 24, 2004, and February 8, 2005; (2) Respondent’s **Answer and Counterclaim** timely filed on or about September 8, 2004 wherein Respondent refers to certain difficulties faced in processing this action, and the time extension requirements necessary to complete process for the defense and counterclaim attendant to Petitioner’s fatuous, frivolous and nuisance allegations and its possible illegal actions in this matter. Said pleadings are by reference incorporated herein as part hereof.

Respondent further submits that continuance of this matter for a few more months does not constitute any economic burden, losses or difficulties on Petitioner. As noted above, Petitioner has in fact filed a frivolous and nuisance petition, simply to be vindictive and to cover up its violation of Commission rules, and the lies and misrepresentations submitted to the Commission in this and previous matters. It is Respondent that has suffered such damages and losses at the hands of Petitioner, not Petitioner.

Last but not least, Respondent brings to the attention of the Commission that since June 2004, the Office of Regulatory Staff of South Carolina (ORS) has failed to date to

deliver a requested report confirming the residential status of 1249 Harllees Bridge Road, Dillon, and to complete the investigation of my complaint against Petitioner for its violations of Commission rules.

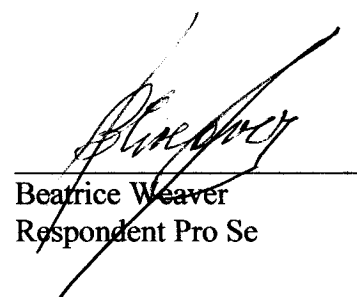
This motion is based on the grounds discussed above and in Respondent's Affidavit and Exhibits attached hereto and made part hereof, and the records and files of this matter.

Respondent reserves the right to supplement said pleadings, Affidavit and Exhibits prior to the hearing or disposition of this motion.

For just cause and good reason, pursuant to the Commission's rules and regulations, and SCRCR Rules cited hereinabove, Respondent moves the Commission for an order continuing the Hearing and to set a date and time certain on or about March 15, 2006 or any time thereafter deemed appropriate by the Commission, until such time as Respondent will be physically able to complete discovery and attend the Hearing. As matters now stand it is medically and physically impossible for Respondent to be present on December 14th, 2005 and continuance is in the interests of justice for Respondent.

Dated: Little Rock, Dillon County, S.C., October 10, 2005

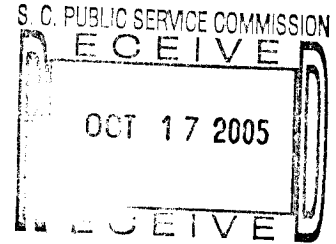
Respectfully submitted.



Beatrice Weaver
Respondent Pro Se

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

October 10, 2005



In the Matter of	)	AFFIDAVIT OF BEATRICE
	)	WEAVER; EXHIBITS A-B
Petition of Progress Energy Carolinas, Inc))	
To Terminate Service)	
)	
)	
_____)	

AFFIDAVIT OF BEATRICE WEAVER

County of Dillon)	
	)	SS.
State of South Carolina)	
_____)	

BEATRICE WEAVER, being first duly sworn upon her oath, hereinafter
"Affiant", deposes and says as follows:

1. Affiant is a Respondent Pro Se in the above titled Petition.
2. On October 7, 2005, Affiant received the Public Service Commission's ("Commission") **Notice of Rescheduled Hearing** of the above entitled Petition, dated October 5, 2005. Said Notice is a continuation of the previously scheduled Hearing for March 10, 2005.
3. This Affidavit is submitted in support of Affiant's present **Motion to Continue the Date of the Hearing** for the same reasons that previous pleadings to continue were submitted to the Commission. Namely, Affiant's medical problems and present health condition have continued and in fact are aggravated more now than previously reported to the Commission. Arguments presented in Affiant's prior pleadings dated on or about November 24, 2004 and February 8, 2005 by reference are incorporated herein. The

Commission is respectfully referred to review and consider said pleadings as argument in support of this present pleading.

4. On or about January 21, 2005 Affiant received a copy of the Commission's Order continuing the Hearing until March 10, 2005 and stipulating certain other conditions, one of which is that **further continuances would be granted only on "...the most exigent of circumstances..."**

5. As noted, Affiant's previous requests to continue the hearing date were granted on medical grounds as documented in the cited pleadings filed with the Commission. Given the present circumstances impacting on Affiant, the scheduled December 14th, 2005 date for the Hearing is premature as Affiant will be unable to appear due to new medical treatments for new cancer scheduled at the Duke Morris Cancer Center to commence on November 7th, 2005 through December 17th, 2005.

6. Accordingly, due to circumstances beyond her control, as further discussed herein below, Affiant is forced with no alternative but to hereby request a further necessary continuance of the Hearing based on **"the most exigent of circumstances"** as discussed below.

7. Affiant will be unable to attend the Hearing because she will be at the Morris Cancer Center at Duke Medical Hospital (hereafter "Duke") in Durham North Carolina, for treatment and carcinoma protocols, now scheduled for the period November 7th, through approximately December 17th, 2005 See **Exhibits A and B** hereto by reference made part hereof.

8. Following completion of said protocols, Affiant will have to undergo rehabilitation for a period of time. Based on the previous experience with several weeks radiation treatment earlier this year, the period of rehabilitation will span some weeks.

9. As discussed in previous affidavits submitted in this action by Affiant, by reference made part hereof, because of the series of medical treatments incurred, Affiant has been prevented from processing this case in accordance with the time constraints and conditions imposed by the Commission and the excessive and abusive process practices of the Petitioner. The Commission has been given correct advance notice of these adverse medical conditions that handicap Affiant in processing this case. Affiant appreciates the previous granting of continuances by the Commission and as stated, is now forced to

once again request an additional accommodation under the circumstances described, which are beyond her control. The following brief summary and overview of the past twelve months, reports the additional medical protocols received since last October 2004:

1. Since October 2004 Affiant has undergone a series of tests, examinations and consultations commencing at St. Eugene Medical Hospital in Dillon S.C, continuing at Duke University Medical Hospital in Durham, N.C., and the University of North Carolina in Raleigh, N.C., the Mayo Clinic in Scottsdale, Arizona, and rehabilitation protocols at Yuma Rehabilitation Hospital, in Yuma, Arizona. This process included radiation with related biopsies, MRI tests, CAT scans, D & C, and related surgeries and treatments. All of this medical treatment resulted in a diagnosis, radiation treatment and rehabilitation for a carcinoma condition.

10. Much of Affiant's related ill health is a direct result of the stress and the stroke in 2002 caused by the repeated, on-going illegal and predatory actions of Petitioner that Affiant has experienced since December 21, 2001. Petitioner is yet to be held accountable by Affiant for such actions in a Court of Law, which shall include this frivolous and nuisance Petition which is vindictive, amoral in purpose and essentially illegal. It is also based on Petitioner's outright lies and misrepresentations to be discussed at the Hearing. The subject Petition is a travesty and nothing more than harassment with the compliance by negligence of the PSC and ORS staff, and it should have been rejected by the Commission long ago

11. Due to pre-occupation and the emotional and physical demands resulting from Affiant's continuing ill health as described, and as previously notified to the Commission, Affiant has been virtually unable to process discovery and shall not be able to complete necessary discovery under the circumstances, until sometime in early 2006. Affiant will issue interrogatories, including requests for production of documents and admissions to certain parties and subsequent follow-up discovery on the basis of the initial discovery as may be needed. The Commission has been given previous advance notice that it will take considerable time for this discovery proceeding to be accomplished and my request to relax the time constraints in the interest of deriving the facts and fair administration of justice.

12. As stated in previous pleadings and affidavits, because of poor health, poor eyesight and difficulty in walking, exacerbated by Petitioner's illegal actions against her, the resulting stress and physical impairment, seriously aggravated by the experience in dealing with Petitioner in this case with his two frivolous and nuisance petitions, Affiant again respectfully reminds the Commission that she requires assistance for transportation purposes. **There is still no public Law Library at the Dillon County Courthouse and quite apart from her debilitating illnesses, Affiant lacks access to such reference and research resources while at Duke and in Arizona, requiring additional time to prepare pleadings.**

13. Affiant reminds the Commission that in the previous motions needed to continue the Hearing date, **Affiant specifically gave notice to the Commission that she reserves the right to apply for further extensions if medical circumstances deem it necessary. Affiant respectfully submits that the unexpected continuing medical conditions and circumstances meet the Commission's test of "the most exigent circumstances."**

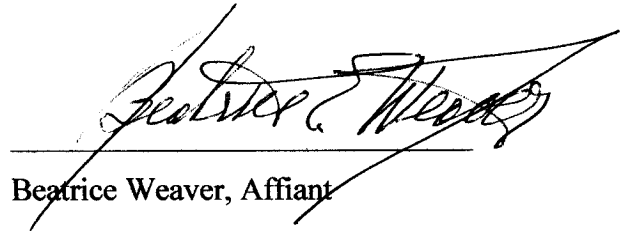
14. Additionally, as previously notified to the Commission, Affiant is unable to complete discovery because the Office of Regulatory Staff of South Carolina ("ORS") still has not submitted its report on Affiant's complaint duly filed with that Office against the illegal threats of disconnect on unnecessary and manufactured "Estimates" and other violations of Commission rules. Nor has the ORS filed its report confirming the residential status of the residence at 1249 Harllees Bridge Road, Dillon S.C. after its inspection on November 29, 2004. This evidence is relevant and material to my case against Petitioner in this matter. In fact, the ORS Staff who visited the premises at 1249 Harllees Bridge road, last November 2004, now actually denies having inspected the property. See, Affiant's letter dated February 2, 2005 to the Commission's General Counsel, Mr. Butler, and by reference made part hereof. ORS staff virtually obstructed the investigation and neglected to do its duty in this matter, thus further delaying Affiant's ability and increasing costs and efforts to process this matter. Affiant plans further discovery of the ORS on this and related matters.

15. For good cause and the reasons cited hereinabove, Affiant respectfully requests the Hearing be continued from December 15, 2005, to on or about March 15, 2006 or

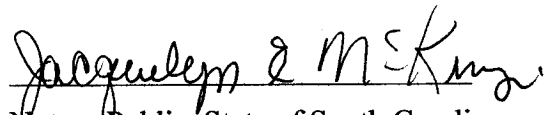
thereafter as deemed appropriate by the Commission. Affiant submits that any such delay causes no economic or other damages to any party involved in this action.

16. Affiant has resided at 1253 Harllees Bridge Road, Dillon, S.C. 29536 since about January 1995. My mailing address is P.O. Box 539, Little Rock SC 29567. I am a retired Senior Citizen in my late seventies and in poor health. I make this affidavit from personal knowledge and belief of the facts of the case, and not for any improper purpose or to cause unnecessary delay in proceedings, or needless increase in the costs of this case. I am competent to make this deposition. I allege and aver that the facts are as stated above and the exhibits attached hereto are true and correct copies of the original documents and by reference are made part hereof.

Further, Affiant sayeth naught.


Beatrice Weaver, Affiant

Subscribed and sworn before me
this 13th day of October, 2005.


Notary Public, State of South Carolina

My Commission expires: 2-8-06



DUKE UNIVERSITY MEDICAL CENTER
Department of Social Work

October 6, 2005

To Whom It May Concern:

Mrs. Beatrice Weaver is currently an oncology patient receiving medical care at Duke University Medical Center, Comprehensive Cancer Center in Durham, NC. Mrs. Weaver will be undergoing daily radiation therapy for her carcinoma. Her treatment is scheduled for November 7th through December 12th.

Please be advised that this information is personal and confidential and is not for public release.

Sincerely,

Alan Green, MSW, LCSW
Clinical Social Worker
Comprehensive Cancer Center
Duke University Health System

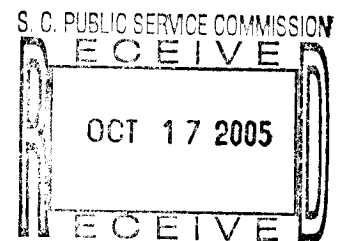
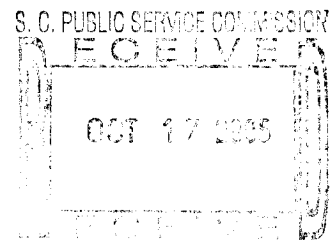


EXHIBIT "A"



Patient: WEAVER, BEATRICE
PO BOX 539
LITTLE ROCK, SC 29567

FSC: MA
MDO

841
-1606

Date	Day	Time	Sta	Type	Dept	Loc	Dur	Appt #
03/22/2006	WED	3:00P	PEN	RET	GSG	SBP	10	25106804
12/16/2005	FRI	11:00A	RSC	RET	PMS	MPP	30	25308596
12/15/2005	THU	11:00A	PEN	RCP	OPH	OPP	15	25364388
12/15/2005	THU	1:00P	PEN	RET	SON	SBP	15	25345672
12/14/2005	WED	2:30P	PEN	REC	GSG	SBP	10	25345540
12/13/2005	TUE	1:00P	RSC	NQP	OPH	CSP	15	25364032
12/08/2005	THU	11:00A	PEN	RET	PMS	MPP	15	25061243
12/06/2005	TUE	11:00A	CAN	NQP	OPH	CSP	15	24905387

Dec. 05 - APTS.

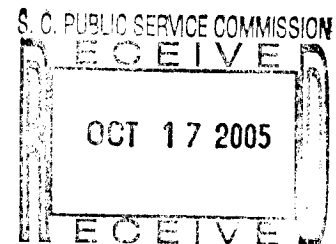
EXHIBIT "B"

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

October 10, 2004

In the Matter of)
)
Petition of Progress Energy Carolinas, Inc)
To Terminate Service)
)
_____)

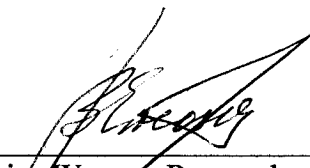
CERTIFICATE OF SERVICE



CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original copy of Respondent Pro Se Beatrice Weaver's Motion for Continuance of Date For Hearing and Extension of time for Filing of Pleadings and Affidavit Of Beatrice Weaver Respondent Pro Se, and Exhibits A and B thereto, will be or has been served upon the S.C. Public Service Commission, and copies to the Office of Regulatory Staff of South Carolina and the above-mentioned Petitioner at their respective addresses by means of U.S. Postal Service mail, on or before October 15,2005.

DATED: Little Rock, Dillon County, South Carolina, October 10, 2005.



Beatrice Weaver, Respondent Pro Se
1253 Harlees Bridge Road,
Dillon S.C. 29536
Ph/Fax: 843 841 1606